

106TH CONGRESS
1ST SESSION

S. 17

To increase the availability, affordability, and quality of child care.

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. DODD (for himself, Mr. DASCHLE, Mr. KENNEDY, Mr. HARKIN, Mr. AKAKA, Mrs. MURRAY, Mr. KOHL, Mr. KERRY, Mr. KERREY, Mrs. FEINSTEIN, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. BRYAN, Mr. SARBANES, Mr. BIDEN, Mrs. BOXER, Mr. BREAUX, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. REED, Mr. SCHUMER, Mr. TORRICELLI, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To increase the availability, affordability, and quality of child care.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Child Care ACCESS (Affordable Child Care for Early
6 Success and Security) Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.

TITLE I—IMPROVING THE AFFORDABILITY OF CHILD CARE

- Sec. 101. Increased appropriations for child care grants.

TITLE II—ENHANCING THE QUALITY OF CHILD CARE AND EARLY CHILDHOOD DEVELOPMENT

Subtitle A—Child Care

- Sec. 201. Grants to improve the quality of child care.

Subtitle B—Young Child Assistance Activities

- Sec. 211. Definitions.
- Sec. 212. Allotments to States.
- Sec. 213. Grants to local collaboratives.
- Sec. 214. Supplement not supplant.
- Sec. 215. Authorization of appropriations.

Subtitle C—Loan Cancellation for Child Care Providers

- Sec. 221. Loan cancellation.

TITLE III—EXPANDING THE AVAILABILITY AND QUALITY OF SCHOOL-AGE CHILD CARE

- Sec. 301. Appropriations for after-school care.
- Sec. 302. Amendments to the 21st Century Community Learning Centers Act.

TITLE IV—SUPPORTING FAMILY CHOICES IN CHILD CARE

- Sec. 401. Expanding the dependent care tax credit.
- Sec. 402. Minimum credit allowed for stay-at-home parents.
- Sec. 403. Credit made refundable.

TITLE V—ENCOURAGING PRIVATE SECTOR INVOLVEMENT

- Sec. 501. Allowance of credit for employer expenses for child care assistance.
- Sec. 502. Grants to support public-private partnerships.

TITLE VI—CHILD CARE IN FEDERAL FACILITIES

- Sec. 601. Short title.
- Sec. 602. Providing quality child care in Federal facilities.
- Sec. 603. Child care services for Federal employees.
- Sec. 604. Miscellaneous provisions relating to child care provided by Federal agencies.
- Sec. 605. Requirement to provide lactation support in new Federal child care facilities.
- Sec. 606. Federal child care evaluation.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

1 (1) Each day an estimated 13,000,000 children
2 spend some part of their day in child care.

3 (2) Fifty-four percent of mothers with children
4 between the ages of 0–3 are in the work force.
5 Labor force participation rises to 63 percent for
6 mothers with children under the age of 6, and to 78
7 percent for mothers with children ages 6–17.

8 (3) The availability of child care that is reliable,
9 convenient, and affordable helps parents to reach
10 and maintain self-sufficiency and is essential to
11 making the transition from welfare to work.

12 (4) Only an estimated 1 out of 10 eligible fami-
13 lies receive assistance in paying for child care
14 through the Child Care and Development Block
15 Grant Act of 1990.

16 (5) Full-day child care can cost \$4,000 to
17 \$9,000 a year.

18 (6) In many instances, high quality child care
19 services cost little more than mediocre services. An
20 investment of only an additional 10 percent has been
21 found to have a significant impact on quality.

22 (7) Only 1 in 7 child care centers provides care
23 that promotes healthy development. Child care at 1
24 in 8 centers actually threatens children’s health and
25 safety.

1 (8) The education, training, and salary of a
2 child care provider make the difference between poor
3 and good quality child care.

4 (A) The average salary of a child care pro-
5 vider in a center is only \$12,058 a year, which
6 is approximately equal to the poverty level for
7 a family of 3.

8 (B) Home-based providers earn \$9,000 a
9 year on average.

10 (9) Poor compensation and limited opportuni-
11 ties for professional training and education contrib-
12 ute to high turnover among child care providers,
13 which disrupts the creation of strong provider-child
14 relationships that are critical to children's healthy
15 development.

16 (10) Children placed in poor quality child care
17 settings have been found to have delayed language
18 and reading skills, as well as increased aggressive
19 behavior toward other children and adults.

20 (11) Nearly 5,000,000 children are home alone
21 after school each week.

22 (12) Although it is thought that juvenile crime
23 occurs mostly on evenings and weekends, juvenile
24 crime actually peaks between 3 and 6 p.m.

1 (13) Eighth-graders left home alone after
 2 school report greater use of cigarettes, alcohol, and
 3 marijuana than those in adult-supervised settings.

4 **TITLE I—IMPROVING THE**
 5 **AFFORDABILITY OF CHILD CARE**

6 **SEC. 101. INCREASED APPROPRIATIONS FOR CHILD CARE**
 7 **GRANTS.**

8 Section 418(a)(3) of the Social Security Act (42
 9 U.S.C. 618(a)(3)) is amended by striking subparagraphs
 10 (C) through (F) and inserting the following:

11 “(C) \$3,167,000,000 for fiscal year 2000;

12 “(D) \$3,367,000,000 for fiscal year 2001;

13 “(E) \$4,067,000,000 for fiscal year 2002;

14 “(F) \$4,717,000,000 for fiscal year 2003;

15 and

16 “(G) \$4,717,000,000 for fiscal year

17 2004.”.

1 **TITLE II—ENHANCING THE**
 2 **QUALITY OF CHILD CARE AND**
 3 **EARLY CHILDHOOD DEVELOPMENT**
 4 **OPMENT**

5 **Subtitle A—Child Care**

6 **SEC. 201. GRANTS TO IMPROVE THE QUALITY OF CHILD**
 7 **CARE.**

8 Section 418 of the Social Security Act (42 U.S.C.
 9 618) is amended—

10 (1) by redesignating subsection (d) as sub-
 11 section (e); and

12 (2) by inserting after subsection (c) the follow-
 13 ing:

14 “(d) GRANTS TO IMPROVE THE QUALITY OF CHILD
 15 CARE AND EARLY CHILDHOOD DEVELOPMENT.—

16 “(1) SECRETARIAL AUTHORITY.—The Secretary
 17 shall use the amounts appropriated under paragraph
 18 (2) to make grants to States in accordance with this
 19 subsection.

20 “(2) APPROPRIATION.—For grants under this
 21 section, there are appropriated—

22 “(A) \$150,000,000 for fiscal year 2000;

23 “(B) \$200,000,000 for fiscal year 2001;

24 “(C) \$300,000,000 for fiscal year 2002;

1 “(D) \$350,000,000 for fiscal year 2003;
2 and

3 “(E) \$1,000,000,000 for fiscal year 2004.

4 “(3) ALLOTMENTS TO STATES.—The amounts
5 appropriated under paragraph (2) for payments to
6 States under this paragraph shall be allotted among
7 the States in the same manner as amounts (includ-
8 ing the redistribution of unused amounts) are allot-
9 ted or redistributed, as the case may be, under sub-
10 section (a)(2), except that the matching requirement
11 of subsection (a)(2)(C) shall not apply to a grant
12 made under this subsection.

13 “(4) USE OF FUNDS.—Funds received by a
14 State through a grant made under this subsection
15 may be used for any of the following:

16 “(A) Bringing provider-child ratios up to
17 standards recommended by nationally recog-
18 nized child care accrediting bodies.

19 “(B) Improving the enforcement of licens-
20 ing standards, including the use of unan-
21 nounced inspections of child care providers.

22 “(C) Conducting background checks on
23 child care providers.

1 “(D) Providing increased payment rates
2 for child care services for infants and for chil-
3 dren with special health care needs.

4 “(E) Providing increased payment rates
5 for child care services offered by licensed or ac-
6 credited providers.

7 “(F) Improving the compensation of child
8 care providers.

9 “(G) Assisting child care providers in be-
10 coming licensed or accredited.

11 “(H) Expanding activities to educate par-
12 ents on the availability and quality of child
13 care, including the development and operation
14 of resource and referral systems.

15 “(I) Creating support networks and men-
16 toring and apprenticeship programs for family
17 child care providers.

18 “(J) Establishing linkages between child
19 care services and health care services.

20 “(K) Offering training and education to
21 child care providers, including offering scholar-
22 ships and tax credits to assist with the expenses
23 of obtaining such training and education.

24 “(L) Providing family support and parent
25 education.

1 “(M) Ensuring the availability and quality
 2 of child care for children with special health
 3 care needs.”.

4 **Subtitle B—Young Child Assistance** 5 **Activities**

6 **SEC. 211. DEFINITIONS.**

7 In this subtitle:

8 (1) LOCAL EDUCATIONAL AGENCY.—The term
 9 “local educational agency” has the meaning given
 10 the term in section 14101 of the Elementary and
 11 Secondary Education Act of 1965 (20 U.S.C. 8801).

12 (2) POVERTY LINE.—The term “poverty line”
 13 means the poverty line (as defined by the Office of
 14 Management and Budget, and revised annually in
 15 accordance with section 673(2) of the Community
 16 Services Block Grant Act (42 U.S.C. 9902(2)) appli-
 17 cable to a family of the size involved.

18 (3) SECRETARY.—The term “Secretary” means
 19 the Secretary of Health and Human Services.

20 (4) STATE BOARD.—The term “State board”
 21 means a State Early Learning Coordinating Board
 22 established under section 212(c).

23 (5) YOUNG CHILD.—The term “young child”
 24 means an individual from birth through age 5.

1 (6) YOUNG CHILD ASSISTANCE ACTIVITIES.—

2 The term “young child assistance activities” means
3 the activities described in paragraphs (1) and (2)(A)
4 of section 213(b).

5 **SEC. 212. ALLOTMENTS TO STATES.**

6 (a) IN GENERAL.—The Secretary shall make allot-
7 ments under subsection (b) to eligible States to pay for
8 the Federal share of the cost of enabling the States to
9 make grants to local collaboratives under section 213 for
10 young child assistance activities.

11 (b) ALLOTMENT.—

12 (1) IN GENERAL.—From the funds appro-
13 priated under section 215 for each fiscal year and
14 not reserved under subsection (i), the Secretary shall
15 allot to each eligible State an amount that bears the
16 same relationship to such funds as the total number
17 of young children in poverty in the State bears to
18 the total number of young children in poverty in all
19 eligible States.

20 (2) YOUNG CHILD IN POVERTY.—In this sub-
21 section, the term “young child in poverty” means an
22 individual who—

23 (A) is a young child; and

24 (B) is a member of a family with an in-
25 come below the poverty line.

1 (c) STATE BOARDS.—

2 (1) IN GENERAL.—In order for a State to be el-
3 igible to obtain an allotment under this subtitle, the
4 Governor of the State shall establish, or designate
5 an entity to serve as, a State Early Learning Co-
6 ordinating Board, which shall receive the allotment
7 and make the grants described in section 213.

8 (2) ESTABLISHED BOARD.—A State board es-
9 tablished under paragraph (1) shall consist of the
10 Governor and members appointed by the Governor,
11 including—

12 (A) representatives of all State agencies
13 primarily providing services to young children
14 in the State;

15 (B) representatives of business in the
16 State;

17 (C) chief executive officers of political sub-
18 divisions in the State;

19 (D) parents of young children in the State;

20 (E) officers of community organizations
21 serving low-income individuals, as defined by
22 the Secretary, in the State;

23 (F) representatives of State nonprofit or-
24 ganizations that represent the interests of

1 young children in poverty, as defined in sub-
2 section (b)(2), in the State;

3 (G) representatives of organizations pro-
4 viding services to young children and the par-
5 ents of young children, such as organizations
6 providing child care, carrying out Head Start
7 programs under the Head Start Act (42 U.S.C.
8 9831 et seq.), providing services through a fam-
9 ily resource center, providing home visits, or
10 providing health care services, in the State; and

11 (H) representatives of local educational
12 agencies.

13 (3) DESIGNATED BOARD.—The Governor may
14 designate an entity to serve as the State board
15 under paragraph (1) if the entity includes the Gov-
16 ernor and the members described in subparagraphs
17 (A) through (G) of paragraph (2).

18 (4) DESIGNATED STATE AGENCY.—The Gov-
19 ernor shall designate a State agency that has a rep-
20 resentative on the State board to provide adminis-
21 trative oversight concerning the use of funds made
22 available under this subtitle and ensure accountabil-
23 ity for the funds.

24 (d) APPLICATION.—To be eligible to receive an allot-
25 ment under this subtitle, a State board shall annually sub-

1 mit an application to the Secretary at such time, in such
 2 manner, and containing such information as the Secretary
 3 may require. At a minimum, the application shall
 4 contain—

5 (1) sufficient information about the entity es-
 6 tablished or designated under subsection (c) to serve
 7 as the State board to enable the Secretary to deter-
 8 mine whether the entity complies with the require-
 9 ments of such subsection;

10 (2) a comprehensive State plan for carrying out
 11 young child assistance activities;

12 (3) an assurance that the State board will pro-
 13 vide such information as the Secretary shall by regu-
 14 lation require on the amount of State and local pub-
 15 lic funds expended in the State to provide services
 16 for young children; and

17 (4) an assurance that the State board shall an-
 18 nually compile and submit to the Secretary informa-
 19 tion from the reports referred to in section
 20 213(e)(2)(F)(iii) that describes the results referred
 21 to in section 213(e)(2)(F)(i).

22 (e) FEDERAL SHARE.—

23 (1) IN GENERAL.—The Federal share of the
 24 cost described in subsection (a) shall be—

1 (A) 85 percent, in the case of a State for
 2 which the Federal medical assistance percent-
 3 age (as defined in section 1905(b) of the Social
 4 Security Act (42 U.S.C. 1396d(b))) is not less
 5 than 50 percent, but is less than 60 percent;

6 (B) 87.5 percent, in the case of a State for
 7 which such percentage is not less than 60 per-
 8 cent, but is less than 70 percent; and

9 (C) 90 percent, in the case of any State
 10 not described in subparagraph (A) or (B).

11 (2) STATE SHARE.—

12 (A) IN GENERAL.—The State shall contrib-
 13 ute the remaining share (referred to in this
 14 paragraph as the “State share”) of the cost de-
 15 scribed in subsection (a).

16 (B) FORM.—The State share of the cost
 17 shall be in cash.

18 (C) SOURCES.—The State may provide for
 19 the State share of the cost from State or local
 20 sources, or through donations from private enti-
 21 ties.

22 (f) STATE ADMINISTRATIVE COSTS.—

23 (1) IN GENERAL.—A State may use not more
 24 than 5 percent of the funds made available through
 25 an allotment made under this subtitle to pay for a

1 portion, not to exceed 50 percent, of State adminis-
2 trative costs related to carrying out this subtitle.

3 (2) WAIVER.—A State may apply to the Sec-
4 retary for a waiver of paragraph (1). The Secretary
5 may grant the waiver if the Secretary finds that un-
6 usual circumstances prevent the State from comply-
7 ing with paragraph (1). A State that receives such
8 a waiver may use not more than 7.5 percent of the
9 funds made available through the allotment to pay
10 for the State administrative costs.

11 (g) MONITORING.—The Secretary shall monitor the
12 activities of States that receive allotments under this sub-
13 title to ensure compliance with the requirements of this
14 subtitle, including compliance with the State plans.

15 (h) ENFORCEMENT.—If the Secretary determines
16 that a State that has received an allotment under this sub-
17 title is not complying with a requirement of this subtitle,
18 the Secretary may—

19 (1) provide technical assistance to the State to
20 improve the ability of the State to comply with the
21 requirement;

22 (2) reduce, by not less than 5 percent, an allot-
23 ment made to the State under this section, for the
24 second determination of noncompliance;

1 (3) reduce, by not less than 25 percent, an al-
 2 lotment made to the State under this section, for the
 3 third determination of noncompliance; or

4 (4) revoke the eligibility of the State to receive
 5 allotments under this section, for the fourth or sub-
 6 sequent determination of noncompliance.

7 (i) TECHNICAL ASSISTANCE.—From the funds ap-
 8 propriated under section 215 for each fiscal year, the Sec-
 9 retary shall reserve not more than 1 percent of the funds
 10 to pay for the costs of providing technical assistance. The
 11 Secretary shall use the reserved funds to enter into con-
 12 tracts with eligible entities to provide technical assistance,
 13 to local collaboratives that receive grants under section
 14 213, relating to the functions of the local collaboratives
 15 under this subtitle.

16 **SEC. 213. GRANTS TO LOCAL COLLABORATIVES.**

17 (a) IN GENERAL.—A State board that receives an al-
 18 lotment under section 212 shall use the funds made avail-
 19 able through the allotment, and the State contribution
 20 made under section 212(e)(2), to pay for the Federal and
 21 State shares of the cost of making grants, on a competitive
 22 basis, to local collaboratives to carry out young child as-
 23 sistance activities.

24 (b) USE OF FUNDS.—A local collaborative that re-
 25 ceives a grant made under subsection (a)—

(1) shall use funds made available through the grant to provide, in a community, activities that consist of education and supportive services, such as—

(A) home visits for parents of young children;

(B) services provided through community-based family resource centers for such parents; and

(C) collaborative pre-school efforts that link parenting education for such parents to early childhood learning services for young children; and

(2) may use funds made available through the grant—

(A) to provide, in the community, activities that consist of—

(i) activities designed to strengthen the quality of child care for young children and expand the supply of high quality child care services for young children;

(ii) health care services for young children, including increasing the level of immunization for young children in the community, providing preventive health care screening and education, and expanding

1 health care services in schools, child care
 2 facilities, clinics in public housing (as de-
 3 fined in section 3(b) of the United States
 4 Housing Act of 1937 (42 U.S.C.
 5 1437a(b))), and mobile dental and vision
 6 clinics;

7 (iii) services for children with disabil-
 8 ities who are young children; and

9 (iv) activities designed to assist
 10 schools in providing educational and other
 11 support services to young children, and
 12 parents of young children, in the commu-
 13 nity, to be carried out during extended
 14 hours when appropriate; and

15 (B) to pay for the salary and expenses of
 16 the administrator described in subsection (e)(4),
 17 in accordance with such regulations as the Sec-
 18 retary shall prescribe.

19 (c) MULTI-YEAR FUNDING.—In making grants
 20 under this section, a State board may make grants for
 21 grant periods of more than 1 year to local collaboratives
 22 with demonstrated success in carrying out young child as-
 23 sistance activities.

1 (d) LOCAL COLLABORATIVES.—To be eligible to re-
 2 ceive a grant under this section for a community, a local
 3 collaborative shall demonstrate that the collaborative—

4 (1) is able to provide, through a coordinated ef-
 5 fort, young child assistance activities to young chil-
 6 dren, and parents of young children, in the commu-
 7 nity; and

8 (2) includes—

9 (A) all public agencies primarily providing
 10 services to young children in the community;

11 (B) businesses in the community;

12 (C) representatives of the local government
 13 for the county or other political subdivision in
 14 which the community is located;

15 (D) parents of young children in the com-
 16 munity;

17 (E) officers of community organizations
 18 serving low-income individuals, as defined by
 19 the Secretary, in the community;

20 (F) community-based organizations provid-
 21 ing services to young children and the parents
 22 of young children, such as organizations provid-
 23 ing child care, carrying out Head Start pro-
 24 grams, or providing pre-kindergarten education,
 25 mental health, or family support services; and

1 (G) nonprofit organizations that serve the
2 community and that are described in section
3 501(c)(3) of the Internal Revenue Code of 1986
4 and exempt from taxation under section 501(a)
5 of such Code.

6 (e) APPLICATION.—To be eligible to receive a grant
7 under this section, a local collaborative shall submit an
8 application to the State board at such time, in such man-
9 ner, and containing such information as the State board
10 may require. At a minimum, the application shall
11 contain—

12 (1) sufficient information about the entity de-
13 scribed in subsection (d)(2) to enable the State
14 board to determine whether the entity complies with
15 the requirements of such subsection; and

16 (2) a comprehensive plan for carrying out
17 young child assistance activities in the community,
18 including information indicating—

19 (A) the young child assistance activities
20 available in the community, as of the date of
21 submission of the plan, including information
22 on efforts to coordinate the activities;

23 (B) the unmet needs of young children,
24 and parents of young children, in the commu-
25 nity for young child assistance activities;

1 (C) the manner in which funds made avail-
2 able through the grant will be used—

3 (i) to meet the needs, including ex-
4 panding and strengthening the activities
5 described in subparagraph (A) and estab-
6 lishing additional young child assistance
7 activities; and

8 (ii) to improve results for young chil-
9 dren in the community;

10 (D) how the local cooperative will use at
11 least 60 percent of the funds made available
12 through the grant to provide young child assist-
13 ance activities to young children and parents
14 described in subsection (f);

15 (E) the comprehensive methods that the
16 collaborative will use to ensure that—

17 (i) each entity carrying out young
18 child assistance activities through the col-
19 laborative will coordinate the activities with
20 such activities carried out by other entities
21 through the collaborative; and

22 (ii) the local collaborative will coordi-
23 nate the activities of the local collaborative
24 with—

1 (I) other services provided to
2 young children, and the parents of
3 young children, in the community;
4 and

5 (II) the activities of other local
6 collaboratives serving young children
7 and families in the community, if any;
8 and

9 (F) the manner in which the collaborative
10 will, at such intervals as the State board may
11 require, submit information to the State board
12 to enable the State board to carry out monitor-
13 ing under section 212(g), including the manner
14 in which the collaborative will—

15 (i) evaluate the results achieved by
16 the collaborative for young children and
17 parents of young children through activi-
18 ties carried out through the grant;

19 (ii) evaluate how services can be more
20 effectively delivered to young children and
21 the parents of young children; and

22 (iii) prepare and submit to the State
23 board annual reports describing the re-
24 sults;

1 (3) an assurance that the local collaborative will
 2 comply with the requirements of subparagraphs (D),
 3 (E), and (F) of paragraph (2), and subsection (g);
 4 and

5 (4) an assurance that the local collaborative will
 6 hire an administrator to oversee the provision of the
 7 activities described in paragraphs (1) and (2)(A) of
 8 subsection (b).

9 (f) DISTRIBUTION.—In making grants under this sec-
 10 tion, the State board shall ensure that at least 60 percent
 11 of the funds made available through each grant are used
 12 to provide the young child assistance activities to young
 13 children (and parents of young children) who reside in
 14 school districts in which half or more of the students re-
 15 ceive free or reduced price lunches under the National
 16 School Lunch Act (42 U.S.C. 1751 et seq.).

17 (g) LOCAL SHARE.—

18 (1) IN GENERAL.—The local collaborative shall
 19 contribute a percentage (referred to in this sub-
 20 section as the “local share”) of the cost of carrying
 21 out the young child assistance activities.

22 (2) PERCENTAGE.—The Secretary shall by reg-
 23 ulation specify the percentage referred to in para-
 24 graph (1).

1 (3) FORM.—The local share of the cost shall be
2 in cash.

3 (4) SOURCE.—The local collaborative shall pro-
4 vide for the local share of the cost through donations
5 from private entities.

6 (5) WAIVER.—The State board shall waive the
7 requirement of paragraph (1) for poor rural and
8 urban areas, as defined by the Secretary.

9 (h) MONITORING.—The State board shall monitor
10 the activities of local collaboratives that receive grants
11 under this subtitle to ensure compliance with the require-
12 ments of this subtitle.

13 **SEC. 214. SUPPLEMENT NOT SUPPLANT.**

14 Funds appropriated under this subtitle shall be used
15 to supplement and not supplant other Federal, State, and
16 local public funds expended to provide services for young
17 children.

18 **SEC. 215. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to carry out
20 this subtitle \$250,000,000 for fiscal year 2000,
21 \$250,000,000 for fiscal year 2001, \$500,000,000 for fis-
22 cal year 2002, \$500,000,000 for fiscal year 2003,
23 \$1,000,000,000 for fiscal year 2004, and such sums as
24 may be necessary for fiscal year 2005 and each subsequent
25 fiscal year.

1 **Subtitle C—Loan Cancellation for**
 2 **Child Care Providers**

3 **SEC. 221. LOAN CANCELLATION.**

4 Section 465(a) of the Higher Education Act of 1965
 5 (20 U.S.C. 1087ee(a)) is amended—

6 (1) in paragraph (2)—

7 (A) by redesignating subparagraphs (G),
 8 (H), and (I) as subparagraphs (H), (I), and
 9 (J), respectively; and

10 (B) by inserting after subparagraph (F),
 11 the following:

12 “(G) as a full-time child care provider or
 13 educator—

14 “(i) in a child care facility operated by
 15 an entity that meets the applicable State
 16 or local government licensing, certification,
 17 approval, or registration requirements, if
 18 any; and

19 “(ii) who has a degree in early child-
 20 hood education;”; and

21 (2) in paragraph (3)(A)—

22 (A) in clause (i), by striking “(G), (H), or
 23 (I)” and inserting “(H), (I), or (J)”; and

24 (B) in clause (ii), by inserting “or (G)”
 25 after “subparagraph (B)”.

1 **TITLE III—EXPANDING THE**
 2 **AVAILABILITY AND QUALITY**
 3 **OF SCHOOL-AGE CHILD CARE**

4 **SEC. 301. APPROPRIATIONS FOR AFTER-SCHOOL CARE.**

5 (a) GRANTS.—Section 418 of the Social Security Act
 6 (42 U.S.C. 618), as amended by section 201, is
 7 amended—

8 (1) by redesignating subsection (e) as sub-
 9 section (f); and

10 (2) by inserting after subsection (d) the follow-
 11 ing:

12 “(e) GRANTS TO INCREASE THE AVAILABILITY AND
 13 QUALITY OF SCHOOL-AGE CHILD CARE.—

14 “(1) SECRETARIAL AUTHORITY.—The Secretary
 15 shall use the amounts appropriated under paragraph
 16 (2) to make grants to States in accordance with this
 17 subsection.

18 “(2) APPROPRIATION.—For grants under this
 19 section, there are appropriated—

20 “(A) \$150,000,000 for fiscal year 2000;

21 “(B) \$200,000,000 for fiscal year 2001;

22 “(C) \$300,000,000 for fiscal year 2002;

23 “(D) \$350,000,000 for fiscal year 2003;

24 and

25 “(E) \$1,000,000,000 for fiscal year 2004.

1 “(3) ALLOTMENTS TO STATES.—The amounts
 2 appropriated under paragraph (2) for payments to
 3 States under this paragraph shall be allotted among
 4 the States in the same manner as amounts (includ-
 5 ing the redistribution of unused amounts) are allot-
 6 ted or redistributed, as the case may be, under sub-
 7 section (a)(2), except that the matching requirement
 8 of subsection (a)(2)(C) shall not apply to a grant
 9 made under this subsection.

10 “(4) USE OF FUNDS.—Funds received by a
 11 State through a grant made under this subsection
 12 shall be used for the provision of child care services
 13 before and after regular school hours and during
 14 months in which schools are not in session.”.

15 (b) DEFINITION OF ELIGIBLE CHILD.—Section
 16 658P(4)(A) of the Child Care and Development Block
 17 Grant Act of 1990 (42 U.S.C. 9858n(4)(A)) is amended
 18 by striking “13” and inserting “16”.

19 **SEC. 302. AMENDMENTS TO THE 21ST CENTURY COMMU-**
 20 **NITY LEARNING CENTERS ACT.**

21 (a) PROGRAM AUTHORIZATION.—Section 10903 of
 22 the 21st Century Community Learning Centers Act (20
 23 U.S.C. 8243) is amended—

24 (1) in subsection (a)—

25 (A) by striking “rural and inner-city”; and

1 (B) by striking “a rural or inner-city com-
 2 munity” and inserting “communities”;

3 (2) in subsection (b), by striking “, among
 4 urban and rural areas of the United States, and
 5 among urban and rural areas of a State”;

6 (3) by redesignating subsections (c) and (d) as
 7 subsections (d) and (e), respectively; and

8 (4) by inserting after subsection (b) the follow-
 9 ing:

10 “(c) PRIORITY OF DISTRIBUTION.—In awarding
 11 grants under this part, the Secretary shall give priority
 12 to rural, urban, and low-income communities.”.

13 (b) APPLICATION REQUIREMENTS.—Section 10904
 14 of the 21st Century Community Learning Centers Act (20
 15 U.S.C. 8244) is amended—

16 (1) in subsection (a)(3)(B), by inserting “, in-
 17 cluding the programs under the Child Care and De-
 18 velopment Block Grant Act of 1990,” after “coordi-
 19 nated”; and

20 (2) in subsection (b), by striking “a broad se-
 21 lection” and all that follows and inserting “child
 22 care services before or after regular school hours
 23 that include mentoring programs, academic assist-
 24 ance, recreational activities, or technology training,
 25 and that may include drug, alcohol, and gang pre-

1 vention, job skills preparation, or health and nutri-
2 tion counseling.”.

3 (c) USES OF FUNDS.—Section 10905 of the 21st
4 Century Community Learning Centers Act (20 U.S.C.
5 8245) is amended—

6 (1) in the matter preceding paragraph (1), by
7 striking “not less than four” and inserting “any”;
8 and

9 (2) by striking paragraph (3) and inserting the
10 following:

11 “(3) Child care services.”.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
13 10907 of the 21st Century Community Learning Centers
14 Act (20 U.S.C. 8247) is amended by striking
15 “\$20,000,000 for fiscal year 1995” and inserting
16 “\$600,000,000 for fiscal year 1999”.

17 **TITLE IV—SUPPORTING FAMILY** 18 **CHOICES IN CHILD CARE**

19 **SEC. 401. EXPANDING THE DEPENDENT CARE TAX CREDIT.**

20 (a) PERCENTAGE OF EMPLOYMENT-RELATED EX-
21 PENSES DETERMINED BY TAXPAYER STATUS.—Section
22 21(a)(2) of the Internal Revenue Code of 1986 (defining
23 applicable percentage) is amended to read as follows:

1 “(2) APPLICABLE PERCENTAGE DEFINED.—For
 2 purposes of paragraph (1), the term ‘applicable per-
 3 centage’ means—

4 “(A) except as provided in subparagraph
 5 (B), 50 percent reduced (but not below 20 per-
 6 cent) by 1 percentage point for each \$1,000, or
 7 fraction thereof, by which the taxpayers’s ad-
 8 justed gross income for the taxable year exceeds
 9 \$30,000, and

10 “(B) in the case of employment-related ex-
 11 penses described in subsection (e)(11), 50 per-
 12 cent reduced (but not below zero) by 1 percent-
 13 age point for each \$800, or fraction thereof, by
 14 which the taxpayers’s adjusted gross income for
 15 the taxable year exceeds \$30,000.”.

16 (b) INFLATION ADJUSTMENT FOR ALLOWABLE EX-
 17 PENSES.—Section 21(c) of the Internal Revenue Code of
 18 1986 (relating to dollar limit on amount creditable) is
 19 amended by striking “The amount determined” and in-
 20 serting “In the case of any taxable year beginning after
 21 1999, each dollar amount referred to in paragraphs (1)
 22 and (2) shall be increased by an amount equal to such
 23 dollar amount multiplied by the cost-of-living adjustment
 24 determined under section 1(f)(3) for the calendar year in
 25 which the taxable year begins, by substituting ‘calendar

1 year 1998’ for ‘calendar year 1992’ in subparagraph (B)
 2 thereof. If any dollar amount after being increased under
 3 the preceding sentence is not a multiple of \$10, such dollar
 4 amount shall be rounded to the nearest multiple of \$10.
 5 The amount determined”.

6 (c) EFFECTIVE DATE.—The amendments made by
 7 this section apply to taxable years beginning after Decem-
 8 ber 31, 1999.

9 **SEC. 402. MINIMUM CREDIT ALLOWED FOR STAY-AT-HOME**
 10 **PARENTS.**

11 (a) IN GENERAL.—Section 21(e) of the Internal Rev-
 12 enue Code of 1986 (relating to special rules) is amended
 13 by adding at the end the following:

14 “(11) MINIMUM CREDIT ALLOWED FOR STAY-
 15 AT-HOME PARENTS.—Notwithstanding subsection
 16 (d), in the case of any taxpayer with one or more
 17 qualifying individuals described in subsection
 18 (b)(1)(A) under the age of 1 at any time during the
 19 taxable year, such taxpayer shall be deemed to have
 20 employment-related expenses with respect to such
 21 qualifying individuals in an amount equal to the sum
 22 of—

23 “(A) \$90 for each month in such taxable
 24 year during which at least one of such qualify-
 25 ing individuals is under the age of 1, and

1 “(B) the amount of employment-related ex-
 2 penses otherwise incurred for such qualifying
 3 individuals for the taxable year (determined
 4 under this section without regard to this para-
 5 graph).”.

6 (b) EFFECTIVE DATE.—The amendments made by
 7 this section apply to taxable years beginning after Decem-
 8 ber 31, 1999.

9 **SEC. 403. CREDIT MADE REFUNDABLE.**

10 (a) IN GENERAL.—Part IV of subchapter A of chap-
 11 ter 1 of the Internal Revenue Code of 1986 (relating to
 12 credits against tax) is amended—

13 (1) by redesignating section 35 as section 36,
 14 and

15 (2) by redesignating section 21 as section 35.

16 (b) ADVANCE PAYMENT OF CREDIT.—Chapter 25 of
 17 such Code (relating to general provisions relating to em-
 18 ployment taxes) is amended by inserting after section
 19 3507 the following:

20 **“SEC. 3507A. ADVANCE PAYMENT OF DEPENDENT CARE**
 21 **CREDIT.**

22 “(a) GENERAL RULE.—Except as otherwise provided
 23 in this section, every employer making payment of wages
 24 with respect to whom a dependent care eligibility certifi-
 25 cate is in effect shall, at the time of paying such wages,

1 make an additional payment equal to such employee's de-
 2 pendent care advance amount.

3 “(b) DEPENDENT CARE ELIGIBILITY CERTIFI-
 4 CATE.—For purposes of this title, a dependent care eligi-
 5 bility certificate is a statement furnished by an employee
 6 to the employer which—

7 “(1) certifies that the employee will be eligible
 8 to receive the credit provided by section 35 for the
 9 taxable year,

10 “(2) certifies that the employee reasonably ex-
 11 pects to be an applicable taxpayer for the taxable
 12 year,

13 “(3) certifies that the employee does not have
 14 a dependent care eligibility certificate in effect for
 15 the calendar year with respect to the payment of
 16 wages by another employer,

17 “(4) states whether or not the employee's
 18 spouse has a dependent care eligibility certificate in
 19 effect,

20 “(5) states the number of qualifying individuals
 21 in the household maintained by the employee, and

22 “(6) estimates the amount of employment-relat-
 23 ed expenses for the calendar year.

24 “(c) DEPENDENT CARE ADVANCE AMOUNT.—

1 “(1) IN GENERAL.—For purposes of this title,
2 the term ‘dependent care advance amount’ means,
3 with respect to any payroll period, the amount
4 determined—

5 “(A) on the basis of the employee’s wages
6 from the employer for such period,

7 “(B) on the basis of the employee’s esti-
8 mated employment-related expenses included in
9 the dependent care eligibility certificate, and

10 “(C) in accordance with tables provided by
11 the Secretary.

12 “(2) ADVANCE AMOUNT TABLES.—The tables
13 referred to in paragraph (1)(C) shall be similar in
14 form to the tables prescribed under section 3402
15 and, to the maximum extent feasible, shall be coordi-
16 nated with such tables and the tables prescribed
17 under section 3507(c).

18 “(d) OTHER RULES.—For purposes of this section,
19 rules similar to the rules of subsections (d) and (e) of sec-
20 tion 3507 shall apply.

21 “(e) DEFINITIONS.—For purposes of this section,
22 terms used in this section which are defined in section 35
23 shall have the respective meanings given such terms by
24 section 35.”.

25 (c) CONFORMING AMENDMENTS.—

1 (1) Section 35(a)(1) of such Code, as redesign-
2 nated by paragraph (1), is amended by striking
3 “chapter” and inserting “subtitle”.

4 (2) Section 35(e) of such Code, as so redesign-
5 nated and amended by subsection (c), is amended by
6 adding at the end the following:

7 “(12) COORDINATION WITH ADVANCE PAY-
8 MENTS AND MINIMUM TAX.—Rules similar to the
9 rules of subsections (g) and (h) of section 32 shall
10 apply for purposes of this section.”.

11 (3) Sections 23(f)(1) and 129(a)(2)(C) of such
12 Code are each amended by striking “section 21(e)”
13 and inserting “section 35(e)”.

14 (4) Section 129(b)(2) of such Code is amended
15 by striking “section 21(d)(2)” and inserting “section
16 35(d)(2)”.

17 (5) Section 129(e)(1) of such Code is amended
18 by striking “section 21(b)(2)” and inserting “section
19 35(b)(2)”.

20 (6) Section 213(e) of such Code is amended by
21 striking “section 21” and inserting “section 35”.

22 (7) Section 995(f)(2)(C) of such Code is
23 amended by striking “and 34” and inserting “34,
24 and 35”.

1 (8) Section 6211(b)(4)(A) of such Code is
 2 amended by striking “and 34” and inserting “, 34,
 3 and 35”.

4 (9) Section 6213(g)(2)(H) of such Code is
 5 amended by striking “section 21” and inserting
 6 “section 35”.

7 (10) Section 6213(g)(2)(L) of such Code is
 8 amended by striking “section 21, 24, or 32” and in-
 9 serting “section 24, 32, or 35”.

10 (11) The table of sections for subpart C of part
 11 IV of subchapter A of chapter 1 of such Code is
 12 amended by striking the item relating to section 35
 13 and inserting the following:

 “Sec. 35. Dependent care services.
 “Sec. 36. Overpayments of tax.”.

14 (12) The table of sections for subpart A of such
 15 part IV is amended by striking the item relating to
 16 section 21.

17 (13) The table of sections for chapter 25 of
 18 such Code is amended by adding after the item re-
 19 lating to section 3507 the following:

 “Sec. 3507A. Advance payment of dependent care credit.”.

20 (14) Section 1324(b)(2) of title 31, United
 21 States Code, is amended by inserting before the pe-
 22 riod “, or enacted by the Child Care ACCESS (Af-

1 fordable Child Care for Early Success and Security)
2 Act”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 this section apply to taxable years beginning after Decem-
5 ber 31, 1999.

6 **TITLE V—ENCOURAGING** 7 **PRIVATE SECTOR INVOLVEMENT**

8 **SEC. 501. ALLOWANCE OF CREDIT FOR EMPLOYER EX-** 9 **PENSES FOR CHILD CARE ASSISTANCE.**

10 (a) IN GENERAL.—Subpart D of part IV of sub-
11 chapter A of chapter 1 of the Internal Revenue Code of
12 1986 (relating to business related credits) is amended by
13 adding at the end the following:

14 **“SEC. 45D. EMPLOYER-PROVIDED CHILD CARE CREDIT.**

15 “(a) ALLOWANCE OF CREDIT.—For purposes of sec-
16 tion 38, the employer-provided child care credit deter-
17 mined under this section for the taxable year is an amount
18 equal to 25 percent of the qualified child care expenditures
19 of the taxpayer for such taxable year.

20 “(b) DOLLAR LIMITATION.—The credit allowable
21 under subsection (a) for any taxable year shall not exceed
22 \$150,000.

23 “(c) DEFINITIONS.—For purposes of this section—

24 “(1) QUALIFIED CHILD CARE EXPENDITURE.—

1 “(A) IN GENERAL.—The term ‘qualified
2 child care expenditure’ means any amount paid
3 or incurred—

4 “(i) to acquire, construct, rehabilitate,
5 or expand property—

6 “(I) which is to be used as part
7 of a qualified child care facility of the
8 taxpayer,

9 “(II) with respect to which a de-
10 duction for depreciation (or amortiza-
11 tion in lieu of depreciation) is allow-
12 able, and

13 “(III) which does not constitute
14 part of the principal residence (within
15 the meaning of section 121) of the
16 taxpayer or any employee of the tax-
17 payer,

18 “(ii) for the operating costs of a quali-
19 fied child care facility of the taxpayer, in-
20 cluding costs related to the training of em-
21 ployees of the child care facility, to scholar-
22 ship programs, to the providing of differen-
23 tial compensation to employees based on
24 level of child care training, and to expenses
25 associated with achieving accreditation,

1 “(iii) under a contract with a qualified
 2 child care facility to provide child care
 3 services to employees of the taxpayer, or

4 “(iv) under a contract to provide child
 5 care resource and referral services to em-
 6 ployees of the taxpayer.

7 “(B) EXCLUSION FOR AMOUNTS FUNDED
 8 BY GRANTS, ETC.—The term ‘qualified child
 9 care expenditure’ shall not include any amount
 10 to the extent such amount is funded by any
 11 grant, contract, or otherwise by another person
 12 (or any governmental entity).

13 “(C) LIMITATION ON ALLOWABLE OPERAT-
 14 ING COSTS.—The term ‘qualified child care ex-
 15 penditure’ shall not include any amount de-
 16 scribed in subparagraph (A)(ii) if such amount
 17 is paid or incurred after the third taxable year
 18 in which a credit under this section is taken by
 19 the taxpayer, unless the qualified child care fa-
 20 cility of the taxpayer has received accreditation
 21 from a nationally recognized accrediting body
 22 before the end of such third taxable year.

23 “(2) QUALIFIED CHILD CARE FACILITY.—

24 “(A) IN GENERAL.—The term ‘qualified
 25 child care facility’ means a facility—

1 “(i) the principal use of which is to
2 provide child care assistance, and

3 “(ii) which meets the requirements of
4 all applicable laws and regulations of the
5 State or local government in which it is lo-
6 cated, including, but not limited to, the li-
7 censing of the facility as a child care facil-
8 ity.

9 Clause (i) shall not apply to a facility which is
10 the principal residence (within the meaning of
11 section 121) of the operator of the facility.

12 “(B) SPECIAL RULES WITH RESPECT TO A
13 TAXPAYER.—A facility shall not be treated as a
14 qualified child care facility with respect to a
15 taxpayer unless—

16 “(i) enrollment in the facility is open
17 to employees of the taxpayer during the
18 taxable year,

19 “(ii) the facility is not the principal
20 trade or business of the taxpayer unless at
21 least 30 percent of the enrollees of such
22 facility are dependents of employees of the
23 taxpayer, and

1 “(iii) the costs to employees of child
 2 care services at such facility are deter-
 3 mined on a sliding fee scale.

4 “(d) RECAPTURE OF ACQUISITION AND CONSTRUC-
 5 TION CREDIT.—

6 “(1) IN GENERAL.—If, as of the close of any
 7 taxable year, there is a recapture event with respect
 8 to any qualified child care facility of the taxpayer,
 9 then the tax of the taxpayer under this chapter for
 10 such taxable year shall be increased by an amount
 11 equal to the product of—

12 “(A) the applicable recapture percentage,
 13 and

14 “(B) the aggregate decrease in the credits
 15 allowed under section 38 for all prior taxable
 16 years which would have resulted if the qualified
 17 child care expenditures of the taxpayer de-
 18 scribed in subsection (c)(1)(A) with respect to
 19 such facility had been zero.

20 “(2) APPLICABLE RECAPTURE PERCENTAGE.—

21 “(A) IN GENERAL.—For purposes of this
 22 subsection, the applicable recapture percentage
 23 shall be determined from the following table:

“If the recapture event occurs in:	The applicable recapture percentage is:
Years 1–3	100
Year 4	85

Year 5	70
Year 6	55
Year 7	40
Year 8	25
Years 9 and 10	10
Years 11 and thereafter	0.

1 “(B) YEARS.—For purposes of subpara-
2 graph (A), year 1 shall begin on the first day
3 of the taxable year in which the qualified child
4 care facility is placed in service by the taxpayer.

5 “(3) RECAPTURE EVENT DEFINED.—For pur-
6 poses of this subsection, the term ‘recapture event’
7 means—

8 “(A) CESSATION OF OPERATION.—The
9 cessation of the operation of the facility as a
10 qualified child care facility.

11 “(B) CHANGE IN OWNERSHIP.—

12 “(i) IN GENERAL.—Except as pro-
13 vided in clause (ii), the disposition of a
14 taxpayer’s interest in a qualified child care
15 facility with respect to which the credit de-
16 scribed in subsection (a) was allowable.

17 “(ii) AGREEMENT TO ASSUME RECAP-
18 TURE LIABILITY.—Clause (i) shall not
19 apply if the person acquiring such interest
20 in the facility agrees in writing to assume
21 the recapture liability of the person dispos-
22 ing of such interest in effect immediately

before such disposition. In the event of such an assumption, the person acquiring the interest in the facility shall be treated as the taxpayer for purposes of assessing any recapture liability (computed as if there had been no change in ownership).

“(4) SPECIAL RULES.—

“(A) TAX BENEFIT RULE.—The tax for the taxable year shall be increased under paragraph (1) only with respect to credits allowed by reason of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

“(B) NO CREDITS AGAINST TAX.—Any increase in tax under this subsection shall not be treated as a tax imposed by this chapter for purposes of determining the amount of any credit under subpart A, B, or D of this part.

“(C) NO RECAPTURE BY REASON OF CASUALTY LOSS.—The increase in tax under this subsection shall not apply to a cessation of operation of the facility as a qualified child care facility by reason of a casualty loss to the ex-

1 tent such loss is restored by reconstruction or
2 replacement within a reasonable period estab-
3 lished by the Secretary.

4 “(e) SPECIAL RULES.—For purposes of this
5 section—

6 “(1) AGGREGATION RULES.—All persons which
7 are treated as a single employer under subsections
8 (a) and (b) of section 52 shall be treated as a single
9 taxpayer.

10 “(2) PASS-THRU IN THE CASE OF ESTATES AND
11 TRUSTS.—Under regulations prescribed by the Sec-
12 retary, rules similar to the rules of subsection (d) of
13 section 52 shall apply.

14 “(3) ALLOCATION IN THE CASE OF PARTNER-
15 SHIPS.—In the case of partnerships, the credit shall
16 be allocated among partners under regulations pre-
17 scribed by the Secretary.

18 “(f) NO DOUBLE BENEFIT.—

19 “(1) REDUCTION IN BASIS.—For purposes of
20 this subtitle—

21 “(A) IN GENERAL.—If a credit is deter-
22 mined under this section with respect to any
23 property by reason of expenditures described in
24 subsection (c)(1)(A), the basis of such property

1 shall be reduced by the amount of the credit
2 so determined.

3 “(B) CERTAIN DISPOSITIONS.—If during
4 any taxable year there is a recapture amount
5 determined with respect to any property the
6 basis of which was reduced under subparagraph
7 (A), the basis of such property (immediately be-
8 fore the event resulting in such recapture) shall
9 be increased by an amount equal to such recap-
10 ture amount. For purposes of the preceding
11 sentence, the term ‘recapture amount’ means
12 any increase in tax (or adjustment in
13 carrybacks or carryovers) determined under
14 subsection (d).

15 “(2) OTHER DEDUCTIONS AND CREDITS.—No
16 deduction or credit shall be allowed under any other
17 provision of this chapter with respect to the amount
18 of the credit determined under this section.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) Section 38(b) of the Internal Revenue Code
21 of 1986 is amended—

22 (A) by striking out “plus” at the end of
23 paragraph (11),

1 (B) by striking out the period at the end
 2 of paragraph (12), and inserting a comma and
 3 “plus”, and

4 (C) by adding at the end the following new
 5 paragraph:

6 “(13) the employer-provided child care credit
 7 determined under section 45D.”.

8 (2) The table of sections for subpart D of part
 9 IV of subchapter A of chapter 1 of such Code is
 10 amended by adding at the end the following new
 11 item:

“Sec. 45D. Employer-provided child care credit.”.

12 (c) EFFECTIVE DATE.—The amendments made by
 13 this section shall apply to taxable years beginning after
 14 December 31, 1999.

15 **SEC. 502. GRANTS TO SUPPORT PUBLIC-PRIVATE PARTNER-**
 16 **SHIPS.**

17 (a) ESTABLISHMENT.—The Secretary of Health and
 18 Human Services (in this section referred to as the “Sec-
 19 retary”) shall establish a program to award grants to local
 20 communities for the purpose of expanding the availability
 21 of, and improving the quality of, child care on a commu-
 22 nity-wide basis.

23 (b) APPLICATION.—To be eligible to receive a grant
 24 under this section, a local community shall prepare and
 25 submit to the Secretary an application at such time and

1 in such manner as the Secretary may require, and that
2 includes—

3 (1) an assurance that the matching funds re-
4 quired under subsection (c) will be provided;

5 (2) evidence of collaboration with parents,
6 schools, employers, State and local government agen-
7 cies, and child care agencies, including resource and
8 referral agencies, in the preparation of the applica-
9 tion;

10 (3) an assessment of child care resources and
11 needs within the community; and

12 (4) any additional information that the Sec-
13 retary may require.

14 (c) MATCHING REQUIREMENT.—To be eligible to re-
15 ceive a grant under this section a local community shall
16 provide assurances to the Secretary that the community
17 will provide matching funds in the amount of \$1 for every
18 \$2 provided under the grant. Such funds shall be gen-
19 erated from private sources, including employers and phil-
20 anthropic organizations.

21 (d) USE OF FUNDS.—A local community shall use
22 the funds provided under a grant awarded under this sec-
23 tion only for the purposes described in subsection (a).

24 (e) ADMINISTRATION.—A local community awarded
25 a grant under this section may authorize a public or non-

1 profit entity within the community to act as the fiscal
 2 agent for the administration of the program funded under
 3 the grant.

4 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
 5 authorized to be appropriated to carry out this section
 6 \$100,000,000 for each of fiscal years 2000 through 2004.

7 **TITLE VI—ENSURING THE QUAL-**
 8 **ITY OF FEDERAL CHILD CARE**
 9 **CENTERS**

10 **SEC. 601. QUALITY CHILD CARE FOR FEDERAL EMPLOYEES.**

11 (a) DEFINITIONS.—In this section:

12 (1) ACCREDITED CHILD CARE CENTER.—The
 13 term “accredited child care center” means—

14 (A) a center that is accredited, by a child
 15 care credentialing or accreditation entity recog-
 16 nized by a State, to provide child care to chil-
 17 dren in the State (except children who a tribal
 18 organization elects to serve through a center de-
 19 scribed in subparagraph (B));

20 (B) a center that is accredited, by a child
 21 care credentialing or accreditation entity recog-
 22 nized by a tribal organization, to provide child
 23 care for children served by the tribal organiza-
 24 tion;

(C) a center that is used as a Head Start center under the Head Start Act (42 U.S.C. 9831 et seq.) and is in compliance with any applicable performance standards established by regulation under such Act for Head Start programs; or

(D) a military child development center (as defined in section 1798(1) of title 10, United States Code).

(2) CHILD CARE CREDENTIALING OR ACCREDITATION ENTITY.—The term “child care credentialing or accreditation entity” means a nonprofit private organization or public agency that—

(A) is recognized by a State agency or tribal organization; and

(B) accredits a center or credentials an individual to provide child care on the basis of—

(i) an accreditation or credentialing instrument based on peer-validated research;

(ii) compliance with applicable State and local licensing requirements, or standards described in section 658E(c)(2)(E)(ii) of the Child Care and Development Block

1 Grant Act (42 U.S.C. 9858c(c)(2)(E)(ii)),
 2 as appropriate, for the center or individual;
 3 (iii) outside monitoring of the center
 4 or individual; and
 5 (iv) criteria that provide assurances
 6 of—

7 (I) compliance with age-appro-
 8 priate health and safety standards at
 9 the center or by the individual;

10 (II) use of age-appropriate devel-
 11 opmental and educational activities, as
 12 an integral part of the child care pro-
 13 gram carried out at the center or by
 14 the individual; and

15 (III) use of ongoing staff devel-
 16 opment or training activities for the
 17 staff of the center or the individual,
 18 including related skills-based testing.

19 (3) CREDENTIALLED CHILD CARE PROFES-
 20 SIONAL.—The term “credentialed child care profes-
 21 sional” means—

22 (A) an individual who is credentialed, by a
 23 child care credentialing or accreditation entity
 24 recognized by a State, to provide child care to
 25 children in the State (except children who a

tribal organization elects to serve through an individual described in subparagraph (B)); or

(B) an individual who is credentialed, by a child care credentialing or accreditation entity recognized by a tribal organization, to provide child care for children served by the tribal organization.

(4) STATE.—The term “State” has the meaning given the term in section 658P of the Child Care and Development Block Grant Act (42 U.S.C. 9858n).

(b) PROVIDING QUALITY CHILD CARE IN FEDERAL FACILITIES.—

(1) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term “Administrator” means the Administrator of General Services.

(B) ENTITY SPONSORING A CHILD CARE CENTER.—The term “entity sponsoring a child care center” means a Federal agency that operates, or an entity that enters into a contract or licensing agreement with a Federal agency to operate, a child care center.

(C) EXECUTIVE AGENCY.—The term “Executive agency” has the meaning given the term

1 in section 105 of title 5, United States Code,
2 except that the term—

3 (i) does not include the Department of
4 Defense; and

5 (ii) includes the General Services Ad-
6 ministration, with respect to the adminis-
7 tration of a facility described in subpara-
8 graph (D)(ii).

9 (D) EXECUTIVE FACILITY.—The term “ex-
10 ecutive facility”—

11 (i) means a facility that is owned or
12 leased by an Executive agency; and

13 (ii) includes a facility that is owned or
14 leased by the General Services Administra-
15 tion on behalf of a judicial office.

16 (E) FEDERAL AGENCY.—The term “Fed-
17 eral agency” means an Executive agency, a ju-
18 dicial office, or a legislative office.

19 (F) JUDICIAL FACILITY.—The term “judi-
20 cial facility” means a facility that is owned or
21 leased by a judicial office (other than a facility
22 that is also a facility described in subparagraph
23 (D)(ii)).

1 (G) JUDICIAL OFFICE.—The term “judicial
2 office” means an entity of the judicial branch of
3 the Federal Government.

4 (H) LEGISLATIVE FACILITY.—The term
5 “legislative facility” means a facility that is
6 owned or leased by a legislative office.

7 (I) LEGISLATIVE OFFICE.—The term “leg-
8 islative office” means an entity of the legislative
9 branch of the Federal Government.

10 (2) EXECUTIVE BRANCH STANDARDS AND COM-
11 PLIANCE.—

12 (A) STATE AND LOCAL LICENSING RE-
13 QUIREMENTS.—

14 (i) IN GENERAL.—Any entity sponsor-
15 ing a child care center in an executive fa-
16 cility shall—

17 (I) obtain the appropriate State
18 and local licenses for the center; and

19 (II) in a location where the State
20 or locality does not license executive
21 facilities, comply with the appropriate
22 State and local licensing requirements
23 related to the provision of child care.

1 (ii) COMPLIANCE.—Not later than 6
2 months after the date of enactment of this
3 Act—

4 (I) the entity shall comply, or
5 make substantial progress (as deter-
6 mined by the Administrator) toward
7 complying, with clause (i); and

8 (II) any contract or licensing
9 agreement used by an Executive agen-
10 cy for the operation of such a child
11 care center shall include a condition
12 that the child care be provided by an
13 entity that complies with the appro-
14 priate State and local licensing re-
15 quirements related to the provision of
16 child care.

17 (B) HEALTH, SAFETY, AND FACILITY
18 STANDARDS.—The Administrator shall by regu-
19 lation establish standards relating to health,
20 safety, facilities, facility design, and other as-
21 pects of child care that the Administrator deter-
22 mines to be appropriate for child care centers
23 in executive facilities, and require child care
24 centers, and entities sponsoring child care cen-

1 ters, in executive facilities to comply with the
2 standards.

3 (C) ACCREDITATION STANDARDS.—

4 (i) IN GENERAL.—The Administrator
5 shall issue regulations requiring, to the
6 maximum extent possible, any entity spon-
7 soring an eligible child care center (as de-
8 fined by the Administrator) in an executive
9 facility to comply with child care center ac-
10 creditation standards issued by a nation-
11 ally recognized accreditation organization
12 approved by the Administrator.

13 (ii) COMPLIANCE.—The regulations
14 shall require that, not later than 5 years
15 after the date of enactment of this Act—

16 (I) the entity shall comply, or
17 make substantial progress (as deter-
18 mined by the Administrator) toward
19 complying, with the standards; and

20 (II) any contract or licensing
21 agreement used by an Executive agen-
22 cy for the operation of such a child
23 care center shall include a condition
24 that the child care be provided by an

1 entity that complies with the stand-
2 ards.

3 (iii) CONTENTS.—The standards shall
4 base accreditation on—

5 (I) an accreditation instrument
6 described in subsection (a)(2)(B);

7 (II) outside monitoring described
8 in subsection (a)(2)(B), by—

9 (aa) the Administrator; or

10 (bb) a child care
11 credentialing or accreditation en-
12 tity, or other entity, with which
13 the Administrator enters into a
14 contract to provide such monitor-
15 ing; and

16 (III) the criteria described in
17 subsection (a)(2)(B).

18 (D) EVALUATION AND COMPLIANCE.—

19 (i) IN GENERAL.—The Administrator
20 shall evaluate the compliance, with the re-
21 quirements of subparagraph (A) and the
22 regulations issued pursuant to subpara-
23 graphs (B) and (C), of child care centers,
24 and entities sponsoring child care centers,
25 in executive facilities. The Administrator

1 may conduct the evaluation of such a child
2 care center or entity directly, or through
3 an agreement with another Federal agency
4 or private entity, other than the Federal
5 agency for which the child care center is
6 providing services. If the Administrator de-
7 termines, on the basis of such an evalua-
8 tion, that the child care center or entity is
9 not in compliance with the requirements,
10 the Administrator shall notify the Execu-
11 tive agency.

12 (ii) EFFECT OF NONCOMPLIANCE.—

13 On receipt of the notification of noncompli-
14 ance issued by the Administrator, the head
15 of the Executive agency shall—

16 (I) if the entity operating the
17 child care center is the agency—

18 (aa) within 2 business days
19 after the date of receipt of the
20 notification, correct any defi-
21 ciencies that are determined by
22 the Administrator to be life
23 threatening or to present a risk
24 of serious bodily harm;

- 1 (bb) develop and provide to
2 the Administrator a plan to cor-
3 rect any other deficiencies in the
4 operation of the center and bring
5 the center and entity into compli-
6 ance with the requirements not
7 later than 4 months after the
8 date of receipt of the notification;
- 9 (cc) provide the parents of
10 the children receiving child care
11 services at the center with a noti-
12 fication detailing the deficiencies
13 described in items (aa) and (bb)
14 and actions that will be taken to
15 correct the deficiencies;
- 16 (dd) bring the center and
17 entity into compliance with the
18 requirements and certify to the
19 Administrator that the center
20 and entity are in compliance,
21 based on an onsite evaluation of
22 the center conducted by an inde-
23 pendent entity with expertise in
24 child care health and safety; and

1 (ee) in the event that defi-
2 ciencies determined by the Ad-
3 ministrators to be life threatening
4 or to present a risk of serious
5 bodily harm cannot be corrected
6 within 2 business days after the
7 date of receipt of the notification,
8 close the center or portion of the
9 center where the deficiency was
10 identified until such deficiencies
11 are corrected and notify the Ad-
12 ministrators of such closure; and

13 (II) if the entity operating the
14 child care center is a contractor or li-
15 censee of the Executive agency—

16 (aa) require the contractor
17 or licensee within 2 business days
18 after the date of receipt of the
19 notification, to correct any defi-
20 ciencies that are determined by
21 the Administrator to be life
22 threatening or to present a risk
23 of serious bodily harm:

24 (bb) require the contractor
25 or licensee to develop and provide

1 to the head of the agency a plan
2 to correct any other deficiencies
3 in the operation of the center and
4 bring the center and entity into
5 compliance with the requirements
6 not later than 4 months after the
7 date of receipt of the notification;
8 (cc) require the contractor
9 or licensee to provide the parents
10 of the children receiving child
11 care services at the center with a
12 notification detailing the defi-
13 ciencies described in items (aa)
14 and (bb) and actions that will be
15 taken to correct the deficiencies;
16 (dd) require the contractor
17 or licensee to bring the center
18 and entity into compliance with
19 the requirements and certify to
20 the head of the agency that the
21 center and entity are in compli-
22 ance, based on an onsite evalua-
23 tion of the center conducted by
24 an independent entity with exper-

1 tise in child care health and safe-
2 ty; and

3 (ee) in the event that defi-
4 ciencies determined by the Ad-
5 ministrators to be life threatening
6 or to present a risk of serious
7 bodily harm cannot be corrected
8 within 2 business days after the
9 date of receipt of the notification,
10 close the center or portion of the
11 center where the deficiency was
12 identified until such deficiencies
13 are corrected and notify the Ad-
14 ministrators of such closure,
15 which closure shall be grounds
16 for the immediate termination or
17 suspension of the contract or li-
18 cense of the contractor or li-
19 censee.

20 (iii) COST REIMBURSEMENT.—The
21 Executive agency shall reimburse the Ad-
22 ministrators for the costs of carrying out
23 clause (i) for child care centers located in
24 an executive facility other than an execu-
25 tive facility of the General Services Admin-

1 istration. If an entity is sponsoring a child
2 care center for 2 or more Executive agen-
3 cies, the Administrator shall allocate the
4 costs of providing such reimbursement
5 with respect to the entity among the agen-
6 cies in a fair and equitable manner, based
7 on the extent to which each agency is eligi-
8 ble to place children in the center.

9 (3) LEGISLATIVE BRANCH STANDARDS AND
10 COMPLIANCE.—

11 (A) STATE AND LOCAL LICENSING RE-
12 QUIREMENTS, HEALTH, SAFETY, AND FACILITY
13 STANDARDS, AND ACCREDITATION STAND-
14 ARDS.—The Architect of the Capitol shall issue
15 regulations approved by the Committee on
16 Rules and Administration of the Senate and the
17 Committee on House Oversight of the House of
18 Representatives for child care centers, and enti-
19 ties sponsoring child care centers, in legislative
20 facilities, which shall be no less stringent in
21 content and effect than the requirements of
22 paragraph (2)(A) and the regulations issued by
23 the Administrator under subparagraphs (B)
24 and (C) of paragraph (2), except to the extent
25 that the Architect with the consent and ap-

1 proval of the Committee on Rules and Adminis-
2 tration of the Senate and the Committee on
3 House Oversight of the House of Representa-
4 tives, may determine, for good cause shown and
5 stated together with the regulations, that a
6 modification of such regulations would be more
7 effective for the implementation of the require-
8 ments and standards described in subpara-
9 graphs (A), (B), and (C) of paragraph (2) for
10 child care centers, and entities sponsoring child
11 care centers, in legislative facilities.

12 (B) EVALUATION AND COMPLIANCE.—

13 (i) ARCHITECT OF THE CAPITOL.—

14 The Architect of the Capitol shall have the
15 same authorities and duties with respect to
16 the evaluation of, compliance of, and cost
17 reimbursement for child care centers, and
18 entities sponsoring child care centers, in
19 legislative facilities as the Administrator
20 has under paragraph (2)(D) with respect
21 to the evaluation of, compliance of, and
22 cost reimbursement for such centers and
23 entities sponsoring such centers, in execu-
24 tive facilities.

1 (ii) HEAD OF A LEGISLATIVE OF-
2 FICE.—The head of a legislative office
3 shall have the same authorities and duties
4 with respect to the compliance of and cost
5 reimbursement for child care centers, and
6 entities sponsoring child care centers, in
7 legislative facilities as the head of an Exec-
8 utive agency has under paragraph (2)(D)
9 with respect to the compliance of and cost
10 reimbursement for such centers and enti-
11 ties sponsoring such centers, in executive
12 facilities.

13 (4) JUDICIAL BRANCH STANDARDS AND COM-
14 PLIANCE.—

15 (A) STATE AND LOCAL LICENSING RE-
16 QUIREMENTS, HEALTH, SAFETY, AND FACILITY
17 STANDARDS, AND ACCREDITATION STAND-
18 ARDS.—The Director of the Administrative Of-
19 fice of the United States Courts shall issue reg-
20 ulations for child care centers, and entities
21 sponsoring child care centers, in judicial facili-
22 ties, which shall be no less stringent in content
23 and effect than the requirements of paragraph
24 (2)(A) and the regulations issued by the Ad-
25 ministrator under subparagraphs (B) and (C)

1 of paragraph (2), except to the extent that the
2 Director may determine, for good cause shown
3 and stated together with the regulations, that a
4 modification of such regulations would be more
5 effective for the implementation of the require-
6 ments and standards described in subpara-
7 graphs (A), (B), and (C) of paragraph (2) for
8 child care centers, and entities sponsoring child
9 care centers, in judicial facilities.

10 (B) EVALUATION AND COMPLIANCE.—

11 (i) DIRECTOR OF THE ADMINISTRA-
12 TIVE OFFICE OF THE UNITED STATES
13 COURTS.—The Director of the Administra-
14 tive Office of the United States Courts
15 shall have the same authorities and duties
16 with respect to the evaluation of, compli-
17 ance of, and cost reimbursement for child
18 care centers, and entities sponsoring child
19 care centers, in judicial facilities as the Ad-
20 ministrator has under paragraph (2)(D)
21 with respect to the evaluation of, compli-
22 ance of, and cost reimbursement for such
23 centers and entities sponsoring such cen-
24 ters, in executive facilities.

1 (ii) HEAD OF A JUDICIAL OFFICE.—

2 The head of a judicial office shall have the
 3 same authorities and duties with respect to
 4 the compliance of and cost reimbursement
 5 for child care centers, and entities sponsor-
 6 ing child care centers, in judicial facilities
 7 as the head of an Executive agency has
 8 under paragraph (2)(D) with respect to
 9 the compliance of and cost reimbursement
 10 for such centers and entities sponsoring
 11 such centers, in executive facilities.

12 (5) APPLICATION.—Notwithstanding any other
 13 provision of this section, if 8 or more child care cen-
 14 ters are sponsored in facilities owned or leased by an
 15 Executive agency, the Administrator shall delegate
 16 to the head of the agency the evaluation and compli-
 17 ance responsibilities assigned to the Administrator
 18 under paragraph (2)(D)(i).

19 (6) TECHNICAL ASSISTANCE, STUDIES, AND RE-
 20 VIEWS.—The Administrator may provide technical
 21 assistance, and conduct and provide the results of
 22 studies and reviews, for Executive agencies, and en-
 23 tities sponsoring child care centers in executive fa-
 24 cilities, on a reimbursable basis, in order to assist
 25 the entities in complying with this section. The Ar-

1 architect of the Capitol and the Director of the Admin-
2 istrative Office of the United States Courts may pro-
3 vide technical assistance, and conduct and provide
4 the results of studies and reviews, or request that
5 the Administrator provide technical assistance, and
6 conduct and provide the results of studies and re-
7 views, for legislative offices and judicial offices, re-
8 spectively, and entities operating child care centers
9 in legislative facilities and judicial facilities, respec-
10 tively, on a reimbursable basis, in order to assist the
11 entities in complying with this section.

12 (7) COUNCIL.—The Administrator shall estab-
13 lish an interagency council, comprised of all Execu-
14 tive agencies described in paragraph (5), a rep-
15 resentative of the Office of Architect of the Capitol,
16 and a representative of the Administrative Office of
17 the United States Courts, to facilitate cooperation
18 and sharing of best practices, and to develop and co-
19 ordinate policy, regarding the provision of child care
20 in the Federal Government.

21 (8) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated to carry out
23 this section \$900,000 for fiscal year 1999 and such
24 sums as may be necessary for each subsequent fiscal
25 year.

1 **TITLE VI—CHILD CARE IN**
2 **FEDERAL FACILITIES**

3 **SEC. 601. SHORT TITLE.**

4 This title may be cited as the “Quality Child Care
5 for Federal Employees Act”.

6 **SEC. 602. PROVIDING QUALITY CHILD CARE IN FEDERAL**
7 **FACILITIES.**

8 (a) DEFINITION.—In this section:

9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of General Serv-
11 ices.

12 (2) CHILD CARE ACCREDITATION ENTITY.—The
13 term “child care accreditation entity” means a non-
14 profit private organization or public agency that—

15 (A) is recognized by a State agency or by
16 a national organization that serves as a peer re-
17 view panel on the standards and procedures of
18 public and private child care or school accredi-
19 ting bodies; and

20 (B) accredits a facility to provide child
21 care on the basis of—

22 (i) an accreditation or credentialing
23 instrument based on peer-validated re-
24 search;

1 (ii) compliance with applicable State
2 or local licensing requirements, as appro-
3 priate, for the facility;

4 (iii) outside monitoring of the facility;

5 and

6 (iv) criteria that provide assurances
7 of—

8 (I) use of developmentally appro-
9 priate health and safety standards at
10 the facility;

11 (II) use of developmentally ap-
12 propriate educational activities, as an
13 integral part of the child care pro-
14 gram carried out at the facility; and

15 (III) use of ongoing staff devel-
16 opment or training activities for the
17 staff of the facility, including related
18 skills-based testing.

19 (3) ENTITY SPONSORING A CHILD CARE FACIL-
20 ITY.—The term “entity sponsoring a child care facil-
21 ity” means a Federal agency that operates, or an
22 entity that enters into a contract or licensing agree-
23 ment with a Federal agency to operate, a child care
24 facility primarily for the use of Federal employees.

1 (4) EXECUTIVE AGENCY.—The term “Executive
2 agency” has the meaning given the term in section
3 105 of title 5, United States Code, except that the
4 term—

5 (A) does not include the Department of
6 Defense and the Coast Guard; and

7 (B) includes the General Services Adminis-
8 tration, with respect to the administration of a
9 facility described in paragraph (5)(B).

10 (5) EXECUTIVE FACILITY.—The term “execu-
11 tive facility”—

12 (A) means a facility that is owned or
13 leased by an Executive agency; and

14 (B) includes a facility that is owned or
15 leased by the General Services Administration
16 on behalf of a judicial office.

17 (6) FEDERAL AGENCY.—The term “Federal
18 agency” means an Executive agency, a legislative of-
19 fice, or a judicial office.

20 (7) JUDICIAL FACILITY.—The term “judicial fa-
21 cility” means a facility that is owned or leased by a
22 judicial office (other than a facility that is also a fa-
23 cility described in paragraph (4)(B)).

1 (8) JUDICIAL OFFICE.—The term “judicial of-
 2 fice” means an entity of the judicial branch of the
 3 Federal Government.

4 (9) LEGISLATIVE FACILITY.—The term “legisla-
 5 tive facility” means a facility that is owned or leased
 6 by a legislative office.

7 (10) LEGISLATIVE OFFICE.—The term “legisla-
 8 tive office” means an entity of the legislative branch
 9 of the Federal Government.

10 (11) STATE.—The term “State” has the mean-
 11 ing given the term in section 658P of the Child Care
 12 and Development Block Grant Act (42 U.S.C.
 13 9858n).

14 (b) EXECUTIVE BRANCH STANDARDS AND COMPLI-
 15 ANCE.—

16 (1) STATE AND LOCAL LICENSING REQUIRE-
 17 MENTS.—

18 (A) IN GENERAL.—Any entity sponsoring
 19 a child care facility in an executive facility
 20 shall—

21 (i) comply with child care standards
 22 described in paragraph (2) that, at a mini-
 23 mum, include all applicable State or local
 24 licensing requirements, as appropriate, re-

1 lated to the provision of child care in the
2 State or locality involved; and

3 (ii) obtain the applicable State or local
4 licenses, as appropriate, for the facility.

5 (B) COMPLIANCE.—Not later than 6
6 months after the date of enactment of this
7 Act—

8 (i) the entity shall comply, or make
9 substantial progress (as determined by the
10 Administrator) toward complying, with
11 subparagraph (A); and

12 (ii) any contract or licensing agree-
13 ment used by an Executive agency for the
14 provision of child care services in such
15 child care facility shall include a condition
16 that the child care be provided by an entity
17 that complies with the standards described
18 in subparagraph (A)(i) and obtains the li-
19 censes described in subparagraph (A)(ii).

20 (2) HEALTH, SAFETY, AND FACILITY STAND-
21 ARDS.—The Administrator shall by regulation estab-
22 lish standards relating to health, safety, facilities, fa-
23 cility design, and other aspects of child care that the
24 Administrator determines to be appropriate for child
25 care in executive facilities, and require child care fa-

1 cilities, and entities sponsoring child care facilities,
 2 in executive facilities to comply with the standards.
 3 Such standards shall include requirements that child
 4 care facilities be inspected for, and be free of, lead
 5 hazards.

6 (3) ACCREDITATION STANDARDS.—

7 (A) IN GENERAL.—The Administrator
 8 shall issue regulations requiring, to the maxi-
 9 mum extent possible, any entity sponsoring an
 10 eligible child care facility (as defined by the Ad-
 11 ministrator) in an executive facility to comply
 12 with standards of a child care accreditation en-
 13 tity.

14 (B) COMPLIANCE.—The regulations shall
 15 require that, not later than 2 years after the
 16 date of enactment of this Act—

17 (i) the entity shall comply, or make
 18 substantial progress (as determined by the
 19 Administrator) toward complying, with the
 20 standards; and

21 (ii) any contract or licensing agree-
 22 ment used by an Executive agency for the
 23 provision of child care services in such
 24 child care facility shall include a condition

1 that the child care be provided by an entity
2 that complies with the standards.

3 (4) EVALUATION AND COMPLIANCE.—

4 (A) IN GENERAL.—The Administrator
5 shall evaluate the compliance, with the require-
6 ments of paragraph (1) and the regulations
7 issued pursuant to paragraphs (2) and (3), as
8 appropriate, of child care facilities, and entities
9 sponsoring child care facilities, in executive fa-
10 cilities. The Administrator may conduct the
11 evaluation of such a child care facility or entity
12 directly, or through an agreement with another
13 Federal agency or private entity, other than the
14 Federal agency for which the child care facility
15 is providing services. If the Administrator de-
16 termines, on the basis of such an evaluation,
17 that the child care facility or entity is not in
18 compliance with the requirements, the Adminis-
19 trator shall notify the Executive agency.

20 (B) EFFECT OF NONCOMPLIANCE.—On re-
21 ceipt of the notification of noncompliance issued
22 by the Administrator, the head of the Executive
23 agency shall—

24 (i) if the entity operating the child
25 care facility is the agency—

1 (I) not later than 2 business days
2 after the date of receipt of the notifi-
3 cation, correct any deficiencies that
4 are determined by the Administrator
5 to be life threatening or to present a
6 risk of serious bodily harm;

7 (II) develop and provide to the
8 Administrator a plan to correct any
9 other deficiencies in the operation of
10 the child care facility and bring the
11 facility and entity into compliance
12 with the requirements not later than 4
13 months after the date of receipt of the
14 notification;

15 (III) provide the parents of the
16 children receiving child care services
17 at the child care facility and employ-
18 ees of the facility with a notification
19 detailing the deficiencies described in
20 subclauses (I) and (II) and actions
21 that will be taken to correct the defi-
22 ciencies, and post a copy of the notifi-
23 cation in a conspicuous place in the
24 facility for 5 working days or until the

1 deficiencies are corrected, whichever is
2 later;

3 (IV) bring the child care facility
4 and entity into compliance with the
5 requirements and certify to the Ad-
6 ministrator that the facility and entity
7 are in compliance, based on an onsite
8 evaluation of the facility conducted by
9 an independent entity with expertise
10 in child care health and safety; and

11 (V) in the event that deficiencies
12 determined by the Administrator to be
13 life threatening or to present a risk of
14 serious bodily harm cannot be cor-
15 rected within 2 business days after
16 the date of receipt of the notification,
17 close the child care facility, or the af-
18 fected portion of the facility, until
19 such deficiencies are corrected and no-
20 tify the Administrator of such closure;
21 and

22 (ii) if the entity operating the child
23 care facility is a contractor or licensee of
24 the Executive agency—

1 (I) require the contractor or li-
2 censee, not later than 2 business days
3 after the date of receipt of the notifi-
4 cation, to correct any deficiencies that
5 are determined by the Administrator
6 to be life threatening or to present a
7 risk of serious bodily harm;

8 (II) require the contractor or li-
9 censee to develop and provide to the
10 head of the agency a plan to correct
11 any other deficiencies in the operation
12 of the child care facility and bring the
13 facility and entity into compliance
14 with the requirements not later than 4
15 months after the date of receipt of the
16 notification;

17 (III) require the contractor or li-
18 censee to provide the parents of the
19 children receiving child care services
20 at the child care facility and employ-
21 ees of the facility with a notification
22 detailing the deficiencies described in
23 subclauses (I) and (II) and actions
24 that will be taken to correct the defi-
25 ciencies, and to post a copy of the no-

1 tification in a conspicuous place in the
2 facility for 5 working days or until the
3 deficiencies are corrected, whichever is
4 later;

5 (IV) require the contractor or li-
6 censee to bring the child care facility
7 and entity into compliance with the
8 requirements and certify to the head
9 of the agency that the facility and en-
10 tity are in compliance, based on an
11 onsite evaluation of the facility con-
12 ducted by an independent entity with
13 expertise in child care health and
14 safety; and

15 (V) in the event that deficiencies
16 determined by the Administrator to be
17 life threatening or to present a risk of
18 serious bodily harm cannot be cor-
19 rected within 2 business days after
20 the date of receipt of the notification,
21 close the child care facility, or the af-
22 fected portion of the facility, until
23 such deficiencies are corrected and no-
24 tify the Administrator of such closure,
25 which closure may be grounds for the

1 immediate termination or suspension
2 of the contract or license of the con-
3 tractor or licensee.

4 (C) COST REIMBURSEMENT.—The Execu-
5 tive agency shall reimburse the Administrator
6 for the costs of carrying out subparagraph (A)
7 for child care facilities located in an executive
8 facility other than an executive facility of the
9 General Services Administration. If an entity is
10 sponsoring a child care facility for 2 or more
11 Executive agencies, the Administrator shall allo-
12 cate the costs of providing such reimbursement
13 with respect to the entity among the agencies in
14 a fair and equitable manner, based on the ex-
15 tent to which each agency is eligible to place
16 children in the facility.

17 (5) DISCLOSURE OF PRIOR VIOLATIONS TO PAR-
18 ENTS AND FACILITY EMPLOYEES.—The Adminis-
19 trator shall issue regulations that require that each
20 entity sponsoring a child care facility in an executive
21 facility, upon receipt by the child care facility or the
22 entity (as applicable) of a request by any individual
23 who is a parent of any child enrolled at the facility,
24 a parent of a child for whom an application has been

1 submitted to enroll at the facility, or an employee of
 2 the facility, shall provide to the individual—

3 (A) copies of all notifications of defi-
 4 ciencies that have been provided in the past
 5 with respect to the facility under clause (i)(III)
 6 or (ii)(III), as applicable, of paragraph (4)(B);
 7 and

8 (B) a description of the actions that were
 9 taken to correct the deficiencies.

10 (c) LEGISLATIVE BRANCH STANDARDS AND COMPLI-
 11 ANCE.—

12 (1) STATE AND LOCAL LICENSING REQUIRE-
 13 MENTS, HEALTH, SAFETY, AND FACILITY STAND-
 14 ARDS, AND ACCREDITATION STANDARDS.—

15 (A) IN GENERAL.—The Chief Administra-
 16 tive Officer of the House of Representatives
 17 shall issue regulations, approved by the Com-
 18 mittee on House Oversight of the House of
 19 Representatives, governing the operation of the
 20 House of Representatives Child Care Center.
 21 The Librarian of Congress shall issue regula-
 22 tions, approved by the appropriate House and
 23 Senate committees with jurisdiction over the Li-
 24 brary of Congress, governing the operation of
 25 the child care center located at the Library of

1 Congress. Subject to paragraph (3), the head of
2 a designated entity in the Senate shall issue
3 regulations, approved by the Committee on
4 Rules and Administration of the Senate, gov-
5 erning the operation of the Senate Employees'
6 Child Care Center.

7 (B) STRINGENCY.—The regulations de-
8 scribed in subparagraph (A) shall be no less
9 stringent in content and effect than the require-
10 ments of subsection (b)(1) and the regulations
11 issued by the Administrator under paragraphs
12 (2) and (3) of subsection (b), except to the ex-
13 tent that appropriate administrative officers,
14 with the approval of the appropriate House or
15 Senate committees with oversight responsibility
16 for the centers, may jointly or independently de-
17 termine, for good cause shown and stated to-
18 gether with the regulations, that a modification
19 of such regulations would be more effective for
20 the implementation of the requirements and
21 standards described in paragraphs (1), (2), and
22 (3) of subsection (b) for child care facilities,
23 and entities sponsoring child care facilities, in
24 the corresponding legislative facilities.

25 (2) EVALUATION AND COMPLIANCE.—

1 (A) ADMINISTRATION.—Subject to para-
2 graph (3), the Chief Administrative Officer of
3 the House of Representatives, the head of the
4 designated Senate entity, and the Librarian of
5 Congress, shall have the same authorities and
6 duties—

7 (i) with respect to the evaluation of,
8 compliance of, and cost reimbursement for
9 child care facilities, and entities sponsoring
10 child care facilities, in the corresponding
11 legislative facilities as the Administrator
12 has under subsection (b)(4) with respect to
13 the evaluation of, compliance of, and cost
14 reimbursement for such facilities and enti-
15 ties sponsoring such facilities, in executive
16 facilities; and

17 (ii) with respect to issuing regulations
18 requiring the entities sponsoring child care
19 facilities in the corresponding legislative fa-
20 cilities to provide notifications of defi-
21 ciencies and descriptions of corrective ac-
22 tions as the Administrator has under sub-
23 section (b)(5) with respect to issuing regu-
24 lations requiring the entities sponsoring
25 child care facilities in executive facilities to

1 provide notifications of deficiencies and de-
2 scriptions of corrective actions.

3 (B) ENFORCEMENT.—Subject to para-
4 graph (3), the Committee on House Oversight
5 of the House of Representatives and the Com-
6 mittee on Rules and Administration of the Sen-
7 ate, as appropriate, shall have the same au-
8 thorities and duties with respect to the compli-
9 ance of and cost reimbursement for child care
10 facilities, and entities sponsoring child care fa-
11 cilities, in the corresponding legislative facilities
12 as the head of an Executive agency has under
13 subsection (b)(4) with respect to the compliance
14 of and cost reimbursement for such facilities
15 and entities sponsoring such facilities, in execu-
16 tive facilities.

17 (3) INTERIM STATUS.—Until such time as the
18 Committee on Rules and Administration of the Sen-
19 ate establishes, or the head of the designated Senate
20 entity establishes, standards described in paragraphs
21 (1), (2), and (3) of subsection (b) governing the op-
22 eration of the Senate Employees' Child Care Center,
23 such facility shall maintain current accreditation sta-
24 tus.

1 (d) JUDICIAL BRANCH STANDARDS AND COMPLI-
2 ANCE.—

3 (1) STATE AND LOCAL LICENSING REQUIRE-
4 MENTS, HEALTH, SAFETY, AND FACILITY STAND-
5 ARDS, AND ACCREDITATION STANDARDS.—The Di-
6 rector of the Administrative Office of the United
7 States Courts shall issue regulations for child care
8 facilities, and entities sponsoring child care facilities,
9 in judicial facilities, which shall be no less stringent
10 in content and effect than the requirements of sub-
11 section (b)(1) and the regulations issued by the Ad-
12 ministrator under paragraphs (2) and (3) of sub-
13 section (b), except to the extent that the Director
14 may determine, for good cause shown and stated to-
15 gether with the regulations, that a modification of
16 such regulations would be more effective for the im-
17 plementation of the requirements and standards de-
18 scribed in paragraphs (1), (2), and (3) of subsection
19 (b) for child care facilities, and entities sponsoring
20 child care facilities, in judicial facilities.

21 (2) EVALUATION AND COMPLIANCE.—

22 (A) DIRECTOR OF THE ADMINISTRATIVE
23 OFFICE OF THE UNITED STATES COURTS.—The
24 Director of the Administrative Office of the

1 United States Courts shall have the same au-
2 thorities and duties—

3 (i) with respect to the evaluation of,
4 compliance of, and cost reimbursement for
5 child care facilities, and entities sponsoring
6 child care facilities, in judicial facilities as
7 the Administrator has under subsection
8 (b)(4) with respect to the evaluation of,
9 compliance of, and cost reimbursement for
10 such facilities and entities sponsoring such
11 facilities, in executive facilities; and

12 (ii) with respect to issuing regulations
13 requiring the entities sponsoring child care
14 facilities in the judicial facilities to provide
15 notifications of deficiencies and descrip-
16 tions of corrective actions as the Adminis-
17 trator has under subsection (b)(5) with re-
18 spect to issuing regulations requiring the
19 entities sponsoring child care facilities in
20 executive facilities to provide notifications
21 of deficiencies and descriptions of correc-
22 tive actions.

23 (B) HEAD OF A JUDICIAL OFFICE.—The
24 head of a judicial office shall have the same au-
25 thorities and duties with respect to the compli-

1 ance of and cost reimbursement for child care
 2 facilities, and entities sponsoring child care fa-
 3 cilities, in judicial facilities as the head of an
 4 Executive agency has under subsection (b)(4)
 5 with respect to the compliance of and cost reim-
 6 bursement for such facilities and entities spon-
 7 soring such facilities, in executive facilities.

8 (e) APPLICATION.—Notwithstanding any other provi-
 9 sion of this section, if 8 or more child care facilities are
 10 sponsored in facilities owned or leased by an Executive
 11 agency, the Administrator shall delegate to the head of
 12 the agency the evaluation and compliance responsibilities
 13 assigned to the Administrator under subsection (b)(4)(A).

14 (f) TECHNICAL ASSISTANCE, STUDIES, AND RE-
 15 VIEWS.—The Administrator may provide technical assist-
 16 ance, and conduct and provide the results of studies and
 17 reviews, for Executive agencies, and entities sponsoring
 18 child care facilities in executive facilities, on a reimburs-
 19 able basis, in order to assist the entities in complying with
 20 this section. The Chief Administrative Officer of the
 21 House of Representatives, the Librarian of Congress, the
 22 head of the designated Senate entity described in sub-
 23 section (c), and the Director of the Administrative Office
 24 of the United States Courts may provide technical assist-
 25 ance, and conduct and provide the results of studies and

1 reviews, or request that the Administrator provide tech-
2 nical assistance, and conduct and provide the results of
3 studies and reviews, for the corresponding legislative of-
4 fices and judicial offices, and entities operating child care
5 facilities in the corresponding legislative facilities and judi-
6 cial facilities, on a reimbursable basis, in order to assist
7 the entities in complying with this section.

8 (g) COUNCIL.—The Administrator shall establish an
9 interagency council, comprised of representatives of all
10 Executive agencies that are entities sponsoring child care
11 facilities, a representative of the Chief Administrative Of-
12 ficer of the House of Representatives, a representative of
13 the designated Senate entity described in subsection (c),
14 a representative of the Librarian of Congress, and a rep-
15 resentative of the Administrative Office of the United
16 States Courts, to facilitate cooperation and sharing of best
17 practices, and to develop and coordinate policy, regarding
18 the provision of child care, including the provision of areas
19 for nursing mothers and other lactation support facilities
20 and services, in the Federal Government.

21 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to carry out this section
23 \$900,000 for fiscal year 2000 and such sums as may be
24 necessary for each subsequent fiscal year.

1 **SEC. 603. CHILD CARE SERVICES FOR FEDERAL EMPLOY-**
2 **EES.**

3 (a) IN GENERAL.—In addition to services authorized
4 to be provided by an agency of the United States pursuant
5 to section 616 of Public Law 100–202 (40 U.S.C. 490b),
6 an Executive agency that provides or proposes to provide
7 child care services for Federal employees may use agency
8 funds to provide the child care services, in a facility that
9 is owned or leased by an Executive agency, or through
10 a contractor, for civilian employees of such agency.

11 (b) AFFORDABILITY.—Funds so used with respect to
12 any such facility or contractor shall be applied to improve
13 the affordability of child care for lower income Federal
14 employees using or seeking to use the child care services
15 offered by such facility or contractor.

16 (c) REGULATIONS.—The Director of the Office of
17 Personnel Management, and the Administrator of the
18 General Services Administration, shall, within 180 days
19 after the date of enactment of this Act, jointly issue regu-
20 lations necessary to carry out this section.

21 (d) DEFINITION.—For purposes of this section, the
22 term “Executive agency” has the meaning given the term
23 in section 105 of title 5, United States Code, but does
24 not include the General Accounting Office.

1 **SEC. 604. MISCELLANEOUS PROVISIONS RELATING TO**
 2 **CHILD CARE PROVIDED BY FEDERAL AGEN-**
 3 **CIES.**

4 (a) AVAILABILITY OF FEDERAL CHILD CARE CEN-
 5 TERS FOR ONSITE CONTRACTORS; PERCENTAGE GOAL.—
 6 Section 616(a) of Public Law 100–202 (40 U.S.C.
 7 490b(a)) is amended—

8 (1) in subsection (a), by striking paragraphs
 9 (2) and (3) and inserting the following:

10 “(2) such officer or agency determines that
 11 such space will be used to provide child care and re-
 12 lated services to—

13 “(A) children of Federal employees or on-
 14 site Federal contractors; or

15 “(B) dependent children who live with
 16 Federal employees or onsite Federal contrac-
 17 tors; and

18 “(3) such officer or agency determines that
 19 such individual or entity will give priority for avail-
 20 able child care and related services in such space to
 21 Federal employees and onsite Federal contractors.”;
 22 and

23 (2) by adding at the end the following:

24 “(e)(1)(A) The Administrator of General Services
 25 shall confirm that at least 50 percent of aggregate enroll-
 26 ment in Federal child care centers governmentwide are

1 children of Federal employees or onsite Federal contrac-
2 tors, or dependent children who live with Federal employ-
3 ees or onsite Federal contractors.

4 “(B) Each provider of child care services at an indi-
5 vidual Federal child care center shall maintain 50 percent
6 of the enrollment at the center of children described under
7 subparagraph (A) as a goal for enrollment at the center.

8 “(C) If enrollment at a center does not meet the per-
9 centage goal under subparagraph (B), the provider shall
10 develop and implement a business plan with the sponsor-
11 ing Federal agency to achieve the goal within a reasonable
12 timeframe. Such plan shall be approved by the Adminis-
13 trator of General Services based on—

14 “(i) compliance of the plan with standards es-
15 tablished by the Administrator; and

16 “(ii) the effect of the plan on achieving the ag-
17 gregate Federal enrollment percentage goal.

18 “(2) The Administrator of General Services Adminis-
19 tration may enter into public-private partnerships or con-
20 tracts with nongovernmental entities to increase the ca-
21 pacity, quality, affordability, or range of child care and
22 related services and may, on a demonstration basis, waive
23 subsection (a)(3) and paragraph (1) of this subsection.”.

1 (b) PAYMENT OF COSTS OF TRAINING PROGRAMS.—
2 Section 616(b)(3) of such Public Law (40 U.S.C.
3 490b(b)(3)) is amended to read as follows:

4 “(3) If an agency has a child care facility in its space,
5 or is a sponsoring agency for a child care facility in other
6 Federal or leased space, the agency or the General Serv-
7 ices Administration may pay accreditation fees, including
8 renewal fees, for that center to be accredited. Any agency,
9 department, or instrumentality of the United States that
10 provides or proposes to provide child care services for chil-
11 dren referred to in subsection (a)(2), may reimburse any
12 Federal employee or any person employed to provide such
13 services for the costs of training programs, conferences,
14 and meetings and related travel, transportation, and sub-
15 sistence expenses incurred in connection with those activi-
16 ties. Any per diem allowance made under this section shall
17 not exceed the rate specified in regulations prescribed
18 under section 5707 of title 5, United States Code.”.

19 (c) PROVISION OF CHILD CARE BY PRIVATE ENTI-
20 TIES.—Section 616(d) of such Public Law (40 U.S.C.
21 490b(d)) is amended to read as follows:

22 “(d)(1) If a Federal agency has a child care facility
23 in its space, or is a sponsoring agency for a child care
24 facility in other Federal or leased space, the agency, the
25 child care center board of directors, or the General Serv-

1 ices Administration may enter into an agreement with 1
2 or more private entities under which such private entities
3 would assist in defraying the general operating expenses
4 of the child care providers including salaries and tuition
5 assistance programs at the facility.

6 “(2)(A) Notwithstanding any other provision of law,
7 if a Federal agency does not have a child care program,
8 or if the Administrator of General Services has identified
9 a need for child care for Federal employees at an agency
10 providing child care services that do not meet the require-
11 ments of subsection (a), the agency or the Administrator
12 may enter into an agreement with a non-Federal, licensed,
13 and accredited child care facility, or a planned child care
14 facility that will become licensed and accredited, for the
15 provision of child care services for children of Federal em-
16 ployees.

17 “(B) Before entering into an agreement, the head of
18 the Federal agency shall determine that child care services
19 to be provided through the agreement are more cost effec-
20 tively provided through such arrangement than through
21 establishment of a Federal child care facility.

22 “(C) The agency may provide any of the services de-
23 scribed in subsection (b)(3) if, in exchange for such serv-
24 ices, the facility reserves child care spaces for children re-
25 ferred to in subsection (a)(2), as agreed to by the parties.

1 The cost of any such services provided by an agency to
 2 a child care facility on behalf of another agency shall be
 3 reimbursed by the receiving agency.

4 “(3) This subsection does not apply to residential
 5 child care programs.”.

6 (d) PILOT PROJECTS.—Section 616 of such Public
 7 Law (40 U.S.C. 490b) is further amended by adding at
 8 the end the following:

9 “(f)(1) Upon approval of the agency head, an agency
 10 may conduct a pilot project not otherwise authorized by
 11 law for no more than 2 years to test innovative approaches
 12 to providing alternative forms of quality child care assist-
 13 ance for Federal employees. An agency head may extend
 14 a pilot project for an additional 2-year period. Before any
 15 pilot project may be implemented, a determination shall
 16 be made by the agency head that initiating the pilot
 17 project would be more cost-effective than establishing a
 18 new child care facility. Costs of any pilot project shall be
 19 borne solely by the agency conducting the pilot project.

20 “(2) The Administrator of General Services shall
 21 serve as an information clearinghouse for pilot projects
 22 initiated by other agencies to disseminate information con-
 23 cerning the pilot projects to the other agencies.

24 “(3) Within 6 months after completion of the initial
 25 2-year pilot project period, an agency conducting a pilot

1 project under this subsection shall provide for an evalua-
 2 tion of the impact of the project on the delivery of child
 3 care services to Federal employees, and shall submit the
 4 results of the evaluation to the Administrator of General
 5 Services. The Administrator shall share the results with
 6 other Federal agencies.”.

7 (e) BACKGROUND CHECK.—Section 616 of such Pub-
 8 lic Law (40 U.S.C. 490b) is further amended by adding
 9 at the end the following:

10 “(g) Each child care center located in a federally
 11 owned or leased facility shall ensure that each employee
 12 of such center (including any employee whose employment
 13 began before the date of enactment of this subsection)
 14 shall undergo a criminal history background check consist-
 15 ent with section 231 of the Crime Control Act of 1990
 16 (42 U.S.C. 13041).”.

17 **SEC. 605. REQUIREMENT TO PROVIDE LACTATION SUP-**
 18 **PORT IN NEW FEDERAL CHILD CARE FACILI-**
 19 **TIES.**

20 (a) DEFINITIONS.—In this section, the terms “Fed-
 21 eral agency”, “executive facility”, “judicial facility”, and
 22 “legislative facility” have the meanings given the terms
 23 in section 602.

24 (b) LACTATION SUPPORT.—The head of each Federal
 25 agency shall require that each child care facility in an ex-

1 executive facility or a legislative facility that is first operated
 2 after the 1-year period beginning on the date of enactment
 3 of this Act by the Federal agency, or under a contract
 4 or licensing agreement with the Federal agency, shall pro-
 5 vide reasonable accommodations for the needs of breast-
 6 fed infants and their mothers, including providing a lacta-
 7 tion area or a room for nursing mothers in part of the
 8 operating plan for the facility.

9 **SEC. 606. FEDERAL CHILD CARE EVALUATION.**

10 (a) DEFINITIONS.—In this section, the terms “execu-
 11 tive facility”, “judicial facility”, and “legislative facility”
 12 have the meanings given the terms in section 602.

13 (b) EVALUATION.—Not later than 1 year after the
 14 date of enactment of this Act, the Administrator of the
 15 General Services Administration and the Director of the
 16 Office of Personnel Management, shall jointly prepare and
 17 submit to Congress a report that contains an evaluation,
 18 including—

19 (1) information on the number of children uti-
 20 lizing child care in an executive facility, legislative
 21 facility, or judicial facility, including such children
 22 who are age 6 through 12, analyzed by age;

23 (2) information on the number of families not
 24 utilizing child care described in paragraph (1) be-
 25 cause of cost; and

1 (3) recommendations for improving the quality
2 and cost effectiveness of child care described in
3 paragraph (1), including options for creating an op-
4 timal organizational structure and best practices for
5 the delivery of such child care.

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